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## Heine Files Appeal

# Man Called Soviet Spy Sues to Open CIA Files

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RICHMOND (UPI) — The Central Intelligence Agency may have to open its files for the first time if a challenge to the Agency's shroud of secrecy made by a famous Estonian guerilla fighter succeeds.

Eerik Heine, branded as a Russian KGB agent by a man the CIA says works for them, filed suit in the U. S. 4th Circuit Court of Appeals Monday in an appeal of \$110,000 slander case.

The 47-year-old Heine, making this first test of the CIA's right to absolute secrecy, is a naturalized Canadian living with his wife in the Toronto suburb of Roxdale, Ont.

**CAPTURED** in the Russian seizure of Estonia in World War II, Heine became a legend in the Baltic Sea states for withstanding brutal torture in a Russian labor camp and joining guerilla fighters after his escape.

In a twist to the case, Heine's lawyers say the CIA may think Heine is not the man he claims to be.

Briefs filed for Heine demand-

ed the court order the CIA and director Richard Helms to open their files and prove the man who called him a Russian spy actually works for the CIA.

The man, Juri Raus, another Estonian, now a naturalized U.S. citizen, invoked the veil of national security in the slander trial before a Baltimore Federal District Court.

Publicly, Raus said, he is a highway research engineer for the U. S. Bureau of Public Roads and living in Hyattsville, Md.

**PRIVATELY**, he and the CIA said, Raus works for the intelligence agency.

Heine's lawyers said the crux of their case is that if Raus is a CIA man, then before he can be given immunity the CIA must at least prove that he is.

But to do that much, the CIA said in District Court, would be to open too many doors and expose too much of the CIA's intelligence - gathering methods among Estonians and other immigrants.

Heine, whose father gained

fame in Europe as a piano maker is noted in Estonian immigrant circles for his rigidly anti-Russian and anti-communist lectures.

Since the case began, the former guerilla fighter's reputation has become clouded and his income has dropped.

**APPARENTLY**, Heine came under CIA suspicion through similarities between him and another Estonian, Arthur Hayman, since deported as a Russian agent.

Hayman advocated using air balloons filled with anti-Communist leaflets to drop over Estonia. Heine, claiming he knew nothing about Hayman or his proposal, advocated the idea himself.

The CIA's Raus admitted calling Heine a Soviet agent. But that was all Raus would say, under orders from the CIA when the case broke.

Heine's appeal said a "more penetrating inquiry" into whether or not Raus is a CIA agent may show he was no more a CIA man than the average member of the National Student Association, a group publicly linked with CIA financial support.

Heine accused Raus of making the charges because he is "a jealous opportunist delighted to grasp a hint of caution from the CIA, inflate it with the hot breath of his own ambition, and thereafter proclaim to the world that Eerik Heine was a communist."

**THE APPEAL** said if the CIA merely has to say someone works

for it for it to be accepted as courtroom proof, then scores of persons would "carry a CIA

Carte Blanche slander card to hurl accusations against any citizen."

The appeal said the CIA could claim nearly anyone as one of its members, from "a travel agency, the National Student Association, an international labor movement, the Ancient Order of Hibernians, the American Express Company, the Alliance for Progress of the Trapp Family Singers."

Such CIA protection would give persons blanket protection to slander at will, the appeal said.

The case was expected to be heard during the court's June term.